

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES GOOD SOLDIER,

Defendant.

CR-07-40-GF-BMM

**ORDER**

This case was referred to United States Magistrate Judge Keith Strong for a revocation hearing and findings and recommendations. Judge Strong entered findings and recommendations on January 21, 2014.

Defendant admitted he had violated the Preamble to the Standard Conditions by committing a crime under tribal law, and violated Special Condition 5 by consuming alcohol. Judge Strong found the admission sufficient to establish the supervised release violations. He recommended that this Court revoke Defendant's supervised release and commit him to the custody of the United States Bureau of Prisons for a term of imprisonment of 12 months, with 24 months of supervised release to follow.

No objections were filed by either party. Judge Strong's findings and recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. Commodore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9<sup>th</sup> Cir. 1981).

This Court agrees with Judge Strong's findings. Defendant admitted that he violated the Preamble to the Standard Conditions, and violated Special Condition 5. Defendant could be imprisoned up to 24 months. The United States Sentencing Guidelines call for a term of imprisonment of 6 to 12 months. A sentence of 12 months in custody is appropriate because the violations are based upon Defendant punching and kicking a victim, and threatening others with a knife, while he was intoxicated. Defendant's continued use of alcohol makes him a serious danger to the public. A lengthy period of supervised release is appropriate because it will provide Defendant the support and structure needed to address his alcohol abuse problem, and it will provide the public with some measure of protection.

IT IS ORDERED that

Judge Strong's Findings and Recommendations (doc. 62) are  
ADOPTED in full and Judgment shall be entered

accordingly.

DATED this 10th day of

February, 2014.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris  
United States District Court Judge